

R1.126 13.  
2.

CFDV virus DNA fragment according to Claim 1, which additionally does not encompass the translation start for the open reading frame ORF2.

R1.126 14.  
3.

CFDV virus DNA fragment according to Claim 1, which additionally encompasses the repeated RPT structures, the 52-bp-sequence and the TATAA sequence.

R1.126 15.  
4.

CFDV virus DNA fragment according to Claim 1, which encompasses the nucleotides 211 to 991, 409 to 991, 611 to 991 or 711 to 991, where, for the purpose of numbering the nucleotides, the 5'-end of the linearized DNA resulting from cleaving the circular CFDV DNA with the restriction endonuclease *XhoI*, has been assigned the position 1.

C↑TCGAG

R1.126 16.  
5.

DNA fragment, which is derived from one of the CFDV virus DNA fragments according to Claim 1 by substituting, deleting, inserting or modifying individual nucleotides or smaller groups of nucleotides and has a promoter activity which is comparable with that of the starting fragment.

R1.126 17.  
6.

Use of one or more DNA fragments according to Claim 1 as promoter.

R1.126 18.  
7.

Use of one or more DNA fragments according to Claim 1 as promoter in bacteria, yeasts or fungi.

21.126 19.  
8.

Use of one or more DNA fragments according to Claim 1 as promoter for the tissue-specific expression of genes in transgenic plants.

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20.  
9.

Use of one or more DNA fragments according to Claim 8 for the phloem-specific expression of genes in transgenic plants.

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21.  
10.

Use of one or more DNA fragments according to Claim 1 for the generation of chimeric constructs for the transient and stable expression.

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22.  
11.

Transgenic plants, parts of plants, transformed plants, yeast or bacterial cells obtained using a DNA according to Claim 1.--

# REMARKS

Newly submitted claims 1-11 correspond to claims 1-10 in the international application, except that the format and dependencies have been changed to reflect the claim formatting and dependency requirements of U.S. law. Additionally, claim 7 recites "fungi" in addition to bacteria and yeast, as supported in the specification, for example, at page 5, lines 13-15 and 25-27. No new matter is added in the new claims, and their entry and examination are respectfully requested.